

1 MELINDA HAAG (CABN 132612)
2 United States Attorney

3 MIRANDA KANE (CABN 150630)
4 Criminal Chief, Criminal Division

5 THOMAS A. COLTHURST (CABN 99493)
6 Assistant United States Attorney

7 150 Almaden Boulevard, Suite 900
8 San Jose, California 95113
9 Telephone: (408)-535-5065
10 Fax: (408)-535-5066
11 E-Mail: tom.colthurst@usdoj.gov

12 Attorneys for United States of America

13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

17
18 UNITED STATES OF AMERICA,) No. CR 10-00826-DLJ
19 Plaintiff,) STIPULATION AND []
20 v.) ORDER EXCLUDING TIME FROM
21 EDELMANN PEREZ, et al.) JANUARY 26, 2012 TO FEBRUARY 2,
22 Defendants.) 2012

23 On the Court's motion, the next status hearing in this matter was moved from January 26,
24 2011, at 9:00 a.m., to February 2, 2011, at 9:00 a.m. The defendant Edelmann Perez, represented
25 by Evans D. Prieston, Esq., the defendant Froylan Hernandez, represented by James McNair
26 Thompson, Esq., the defendant Maria Delosangeles Cruz, represented by Ruben T. Munoz, Esq.,
27 the defendant Eslevan Navarro, represented by Alfredo M. Morales, Esq., and the government,
28 represented by Thomas A. Colthurst, Assistant United States Attorney, request that time be
excluded under the Speedy Trial Act from January 26, 2011 to February 2, 2011, to permit the

ORDER EXCLUDING TIME
Case No. CR 10-00826-DLJ

1 parties the reasonable time necessary for effective preparation.

2
3 DATED: January 25, 2012

MELINDA HAAG
United States Attorney

4
5
6 /s/
Thomas A. Colthurst
Assistant United States Attorney

7
8 /s/
Evans D. Prieston, Esq.
Counsel for Defendant Edelmann Perez

9
10 /s/
James McNair Thompson, Esq.
Counsel for Defendant Maria Delosangeles Cruz

11
12 /s/
Ruben T. Munoz, Esq.
Counsel for Defendant Froylan Hernandez

13
14 /s/
Alfredo M. Morales, Esq.
Counsel for Defendant Eslevan Navarro

15
16
17
18
19 **ORDER**

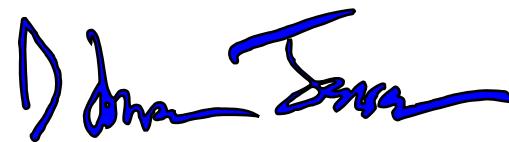
20 Based upon the stipulation of the parties, and for good cause shown, the Court finds that
21 failing to exclude the time between January 26, 2011 and February 2, 2011, would deny counsel
22 the reasonable time necessary for effective preparation, taking into account the exercise of due
23 diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served
24 by excluding the time between January 26, 2011 and February 2, 2011, from computation under
25 the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

26 Therefore, IT IS HEREBY FURTHER ORDERED that the time between January 26, 2011
27 and February 2, 2011, shall be excluded from computation under the Speedy Trial Act. 18

1 U.S.C. § 3161(h)(7)(A) and (B)(iv).

2
3 IT IS SO ORDERED.

4 DATED: FEB 17 2011



5 THE HONORABLE D. LOWELL JENSEN
6 Senior United States District Judge